IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE THIRTY FIRST DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 15545 of 2004

Between:

B.Mohammed Ghouse, S/o.Masthan valli,
Uppalavandlapalli Village, Chakrayapet Mandal, Kadapa Dist.

..... PETITIONER

AND

1 The Joint Collector, Kadapa Dist.
2 The Revenue Divisional officer, Kadapa Dist.
3 The Mandal Revenue officer, Chakrayapet Mandal, Kadapa Dist.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more particularly one in the nature of writ of Mandamus declaring the action of the respondents particularly the 1st respondent in not passing any orders on the interlocutory application submitted by the petitioner along with the appeal against the suspension order passed by the 2nd respondent in his Ref.C./586/2004 dated 06-08-2004 though the suspension order is politically motivated and without any notice or enquiry and made for extraneous consideration as illegal, unjust, arbitrary and dilatory and against statutory provisions and consequently direct the 1st respondent to pass positive orders in the interlocutory application filed along with the appeal against the orders of the 2nd respondent in his Ref.C/586/2004 dated 6-8-2004 and pass.

Counsel for the Petitioner: MR.L.J.VEERA REDDY

Counsel for the Respondent No.: GP FOR CIVIL SUPPLIES

The Court made the following <u>ORDER:</u>

Petitioner is the Fair Price Shop Dealer of Uppalavandlapalli village, Chakraypet Mandal, Kadapa District. His authorisation has been suspended by the second respondent-Revenue Divisional Officer, Kadapa by proceedings dated 06-08-2004 on the ground of alleged irregularities in distribution of Essential Commodities. Aggrieved by the said order, petitioner preferred an appeal before the first respondent-Joint Collector, Kadapa along with an application seeking stay of the order of second respondent dated 06-08-2004. The only grievance of the petitioner in this writ petition is that the first respondent has failed to consider his appeal and no orders have been passed even on his application for stay so far, but in the meanwhile the respondents are not allowing the petitioner to distribute the essential commodities to the card holders. Hence, this writ petition.

Having heard the learned counsel for the petitioner and learned Government Pleader for Civil Supplies, I deem it appropriate to dispose of the writ petition with a direction to the first respondent-Joint Collector, Kadapa to dispose of the application for stay in the appeal preferred by the petitioner against the order of the first respondent-Revenue Divisional Officer, Kadapa dated 06-08-2004 as expeditiously as possible, preferably within a period of one week from the date of receipt of a copy of this order. No costs.

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31-08-2004

klp

To

1 The Joint Collector, Kadapa Dist.
2 The Revenue Divisional officer, Kadapa Dist.
3 The Mandal Revenue officer, Chakrayapet Mandal, Kadapa Dist.

4 2CCs to G.P. for Civil Supplies, High Court buildings,

Hyderabad.(OUT).

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